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PTO:SB/4 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/932,167
Filing Date	August 17, 2001
First Named Inventor	Chaitan KHOSLA
Group Art Unit	1614
Examiner Name	To Be Assigned
Attorney Docket No.	300622005900

Total Number Of Pages In This Submission

5

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
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Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input checked="" type="checkbox"/> Information Disclosure Statement;
PTO form 1449; and 15 references | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/
Incomplete Application | Remarks | |
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under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Brenda J. Wallach Registration No. 45,193
Signature	<i>Brenda J. Wallach</i>
Date	May 20, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 20, 2002

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PATENT
Docket No. 300622005900

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/932,167

Filing Date: August 17, 2001

For: FERMENTATION AND
PURIFICATION OF MIGRASTATIN
AND ANALOG

Examiner: To Be Assigned

Group Art Unit: 1614

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This application claims the benefit of the filing date of United States Provisional Application Serial Number 60/226,595, filed August 21, 2000.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to


charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622005900. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 14, 2002

Respectfully submitted,

By: Brenda J. Wallach
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Registration No. 45,193

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) 	Docket Number 300622005900	Application Number 09 932,167
	Applicant Charan KHOSLA et al	
	Filing Date August 17, 2001	Group Art Unit 1603
	Mailing Date May 6, 2002	

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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	04/1990	4,916,138	Ueda et al.	514	294	
	2.	01/1996	5,484,799	Hochlowski et al.	514	345	
	3.	12/1996	5,589,485	Hochlowski et al.	514	315	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES	NO
	4.	06/1994	EP 423 714	Europe				
	5.	03/1995	EP 428 169	Europe				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	6.	Hochlowski et al., J. Antibiotics (1994) 47:870-874
	7.	Hondo et al., Transplantation Proceedings XIX (1987) Supp.6:17-22
	8.	Jarvis et al., J. Antibiotics (1990) 43:1502-1504
	9.	Kadam and McAlpine, J. Antibiotics (1994) 47:875-880
	10.	Karwowski et al., J. Antibiotics (1994) 47:862-869
	11.	Marshall et al., J. Industrial Microbiology (1990) 5:283-288
	12.	Nakae et al., J. Antibiotics (2000) 53:1130-1136
	13.	Nakae et al., J. Antibiotics (2000) 53:1228-1230
	14.	Warr et al., J. Antibiotics (1996) 49:234-240
	15.	Woodhouse et al., Cancer (1997) 80:1529-1537

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.